

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:

MAUREEN YVETTE WRIGHT, Debtor
3882 SPARROW WOOD DRIVE
ANN ARBOR, MI 48108
SSN: XXX-XX-9230

CHAPTER 13
CASE NO: 09-71738
JUDGE WALTER SHAPERO

**TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO MAKE
PAYMENTS UNDER CHAPTER 13 PLAN**

The Chapter 13 Standing Trustee files this Motion under E.D. Mich. L.B.R. 9014-1 and states:

1. That this motion is brought pursuant to 11 U.S.C 1307 (c).
2. That the Trustee brings this motion based upon the debtor's failure to make payments under the Chapter 13 Plan. According to the books and records of the Trustee, the debtor's last payment was received on **Friday, April 15, 2011** in the amount of **\$350.77**. The debtor's payment history is 76.00% as of 4/18/2011.

WHEREFORE, your Trustee prays that this Court enter its Order dismissing this case and granting such other relief as it is just.

OFFICE OF THE CHAPTER 13 TRUSTEE - DETROIT

April 19, 2011

/S/ TAMMY L. TERRY (P46254)

TAMMY L. TERRY, Chapter 13 Trustee

/S/ KIMBERLY SHORTER-SIEBERT (P49608)

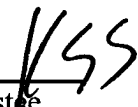
/S/ MARILYN R. SOMERS-KANTZER (P52488)

535 Griswold, Suite 2100

Detroit, MI 48226

(313) 967-9857

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CHAPTER 13

CASE NO: 09-71738

JUDGE WALTER SHAPERO

**ORDER DISMISSING CHAPTER 13 PROCEEDINGS
FOR FAILURE TO MAKE PAYMENTS**

This matter having come to be heard upon the Trustee's Motion to Dismiss for failure to make payments filed pursuant to E.D. Mich. L.B.R. 9014-1, notice having been duly given and an opportunity for hearing having been provided, and based upon the records of the court herein, the dismissal of the case is warranted for the failure to make payments, and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that the Chapter 13 case of the debtor herein be and the same hereby is dismissed for the failure to make the payments required under the Chapter 13 Plan.

IT IS FURTHER ORDERED that the clerk's office shall immediately provide notice of the entry of this Order to all creditors listed in this case, the debtor, debtor's attorney, if any, and the Trustee;

IT IS FURTHER ORDERED that TAMMY L. TERRY, Trustee, is discharged as Trustee and the Trustee and her surety is released from any and all liability on account of the within proceedings.

IT IS FURTHER ORDERED that if the Chapter 13 plan in this matter has not been confirmed then the Trustee shall be allowed an administrative expense of \$100.00 to be paid after payment of noticing fees to the Clerk of the Court to defray the Trustee's cost and expense of administering the case to date.

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
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**NOTICE OF TRUSTEE'S MOTION TO DISMISS FOR FAILURE
TO MAKE PLAN UNDER CHAPTER 13 PLAN**

The Chapter 13 Trustee has filed papers with the court to dismiss the above captioned case for failure to make payments under the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to dismiss this case, or if you want the court to consider your views on the Trustee's motion, within 21 days, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at: *

**United States Bankruptcy Court
211 W. Fort Street
Detroit, Michigan 48226**

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to:

**OFFICE OF THE CHAPTER 13 STANDING TRUSTEE - DETROIT
ATTN: MOTION DEPARTMENT
535 Griswold, Suite 2100 Detroit, MI 48226**

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

OFFICE OF THE CHAPTER 13 TRUSTEE, DETROIT

/S/ TAMMY L. TERRY (P46254)

TAMMY L. TERRY, Chapter 13 Trustee
/S/ KIMBERLY SHORTER-SIEBERT (P49608)
/S/ MARILYN R. SOMERS-KANTZER (P52488)
535 Griswold, Suite 2100
Detroit, MI 48226
(313) 967-9857
mieb_ecfadmin@det13.net

April 19, 2011

* Response or answer must comply with F.R.Civ.P. 8(b), (c) and (e)

EXHIBIT 2

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
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**CERTIFICATE OF MAILING OF TRUSTEE'S MOTION
TO DISMISS FOR FAILURE TO MAKE PAYMENTS
UNDER CHAPTER 13 PLAN**

I certify that on the date indicated below, copies of the Trustee's Motion to Dismiss for Failure to Make Payments, Notice and Opportunity for Hearing and proposed Order were electronically filed with the Clerk of the Court, served via Electronic Court Filing and/or a copy of same was deposited in the U.S. Mail to debtor's(s)' attorney (if any) or the debtor(s), if unrepresented, at the address as it appears below.

5 / 9 / 2011

OFFICE OF THE CHAPTER 13 TRUSTEE - DETROIT

KOSTOPOULOS & ASSOCIATES PLLC
30800 VAN DYKE
SUITE 204
WARREN, MI 48093

/S/ CYNTHIA GATES
Chapter 13 Standing Trustee Clerk
535 Griswold, Suite 2100
Detroit, MI 48226
(313) 967-9857
mieb_ecfadmin@det13.net

MAUREEN YVETTE WRIGHT
3882 SPARROW WOOD DRIVE
ANN ARBOR, MI 48108

EXHIBIT 4